

# EXHIBIT 2

AO 88A (Rev. 06/09) Subpoena to Testify at a Deposition in a Civil Action

UNITED STATES DISTRICT COURT

for the

Eastern District of New York

In the Matter of the Application of

Oleg Vladimirovich Deripaska, for an order, pursuant to  
28 U.S.C. § 1782, to obtain discovery from Alexandra  
Kogan and Chase Bank for use in an action pending in  
the High Court of Justice, Queen's Bench Division,  
Commercial Court, styled Michael Cherney v. Oleg  
Vladimirovich Derispaska.

(If the action is pending in another district, state where:

SUBPOENA TO TESTIFY AT A DEPOSITION IN A CIVIL ACTION

To: Alexandra Kogan  
Chase Bank, Brighton Beach Branch

☒ **Testimony:** **YOU ARE COMMANDED** to appear at the time, date, and place set forth below to testify at a deposition to be taken in this civil action. If you are an organization that is *not* a party in this case, you must designate one or more officers, directors, or managing agents, or designate other persons who consent to testify on your behalf about the following matters, or those set forth in an attachment:

Place: Quinn Emanuel Urquhart & Sullivan, LLP  
51 Madison Avenue, 22nd Floor  
New York, NY 10010

Date and Time:

07/29/2011 9:30 am

The deposition will be recorded by this method: Transcription and Videotape

☒ **Production:** You, or your representatives, must also bring with you to the deposition the following documents, electronically stored information, or objects, and permit their inspection, copying, testing, or sampling of the material:

SEE ATTACHED SCHEDULE A.

The provisions of Fed. R. Civ. P. 45(c), relating to your protection as a person subject to a subpoena, and Rule 45 (d) and (e), relating to your duty to respond to this subpoena and the potential consequences of not doing so, are attached.

Date: 07/20/2011

CLERK OF COURT

OR

\_\_\_\_\_  
Signature of Clerk or Deputy Clerk

\_\_\_\_\_  
Attorney's signature

The name, address, e-mail, and telephone number of the attorney representing (name of party) \_\_\_\_\_

Oleg Vladimirovich Deripaska

, who issues or requests this subpoena, are:

Marc L. Greenwald

Quinn Emanuel Urquhart & Sullivan, LLP, 51 Madison Avenue, New York, NY 10010

marcgreenwald@quinnemanuel.com; (212) 849-7140

## **SCHEDULE A**

### **DEFINITIONS**

The following definitions shall apply to the requests for production herein:

- A. “You,” “yourself,” or “your” shall refer to Alexandra Kogan.
- B. The “English action” shall refer to the legal action pending in the High Court of Justice, Queen’s Bench Division, Commercial Court, styled *Michael Cherney v. Oleg Vladimirovich Deripaska*..
- C. “Michael Cherney” shall refer to Michael Cherney of Savyon, Israel, the plaintiff in the legal action pending in the High Court of Justice, Queen’s Bench Division, Commercial Court, styled *Michael Cherney v. Oleg Vladimirovich Deripaska*.
- D. “Leonid Chernoy” shall refer to Leonid Chernoy of Tel Aviv, Israel, Michael Cherney’s nephew.
- E. “Adella Chernoy” shall refer to Adella Chernoy of Brooklyn, New York, Michael Cherney’s sister-in-law.
- F. “Document” is synonymous in meaning and equal in scope to the usage of this term in Federal Rule of Civil Procedure 34(a), including, without limitation, electronic or computerized data compilations. A draft or non-identical copy is a separate document within the meaning of this term.
- G. “Communication” means the transmittal of information (in the form of facts, ideas, inquiries or otherwise).

H. “Relating To” means concerning, referring to, constituting, memorializing, containing, embodying, reflecting, identifying, evidencing, stating, dealing with, commenting on, responding to, setting forth, describing, analyzing, supporting, contradicting, or which is in any way pertinent to a subject matter.

I. “Person” means any natural person or any business, legal or governmental entity or association.

J. The “Parking Space Unit Deed” means the document titled “Parking Space Unit Deed” bearing your official seal and signature and dated May 26, 2010, which is attached as Exhibit E to the July 20, 2011, Declaration of Marc L. Greenwald.

K. The “Affidavit of Compliance With Smoke Detector Requirements” means the document titled Affidavit of Compliance With Smoke Detector Requirements bearing your official seal and signature and dated May 26, 2010, which is attached as Exhibit F to the July 20, 2011, Declaration of Marc L. Greenwald.

L. Words used in the singular include the plural, and vice versa.

M. The connectives “and” and “or” shall be construed either disjunctively or conjunctively as necessary to bring within the scope of the discovery request all responses that might otherwise be construed to be outside of its scope.

N. The descriptive terms “any” and “all” shall each mean and include the other.

### **INSTRUCTIONS**

A. Each document is to be produced along with all non-identical drafts thereof in its entirety, without abbreviation or redaction.

B. All documents shall be produced in the order that they are kept in the usual course of business, and shall be produced in their original folders, binders, covers or containers, or photocopies thereof.

C. In the event that any document called for by these Requests is to be withheld on the basis of a claim of privilege or immunity from discovery, that document is to be identified by stating (i) the author(s), addressee(s) and any indicated or blind copyee(s); (ii) the document's date, number of pages and attachments or appendices; (iii) the subject matter(s) of the document; (iv) the nature of the privilege or immunity asserted; and (v) any additional facts on which you would base your claim of privilege or immunity.

D. In the event that any document called for by these requests or subsequent requests has been destroyed or discarded, that document is to be identified by stating: (i) the author(s), addressee(s) and any indicated or blind recipient(s); (ii) the document's date, number of pages and attachments or appendices; (iii) the document's subject matter; (iv) the date of destruction or discard, manner of destruction or discard, and reason for destruction or discard; (v) the persons who were authorized to carry out such destruction or discard; and (vi) whether any copies of the document presently exist and, if so, the name of the custodian of each copy.

E. All Requests call for documents or materials created, transmitted, maintained, revised or used on or after May 23, 2009.

F. These Requests shall be deemed continuing so as to require further and supplemental production in accordance with the Federal Rules of Civil Procedure.

**SPECIFIC REQUESTS FOR PRODUCTION**

1. All documents in your possession, custody, or control relating to your notarization of any documents for Michael Cherney, Leonid Chernoy, or Adella Chernoy, including, without limitation, the Parking Space Unit Deed and the Affidavit of Compliance With Smoke Detector Requirements.

2. All documents in your possession, custody, or control relating to Michael Cherney traveling to the United States at any time between May 23, 2009, and the present.